

Ropers Majeski Kohn & Bentley
A Professional Corporation
Redwood City

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Attorneys for Defendant ALLIED DOMEQ
SPIRITS & WINE USA INC. AND
SUBSIDIARY & AFFILIATED
COMPANIES GROUP WELFARE
INSURANCE PLAN FOR EMPLOYEES IN
THE US (erroneously sued as ALLIED
DOMEQ SPIRITS AND WINE GROUP
DISABILITY INCOME POLICY) and Real
Party In Interest LIBERTY LIFE
ASSURANCE COMPANY OF BOSTON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTONIO PRADO,

Plaintiff,

v.

ALLIED DOMEQ SPIRITS AND WINE
GROUP DISABILITY INCOME
POLICY,

Defendant.

LIBERTY MUTUAL INSURANCE,
LIBERTY LIFE ASSURANCE
COMPANY OF BOSTON

Real Party In Interest.

Case No. C 09 04419 SC

**STIPULATION AND ~~PROPOSED~~ ORDER
TO CONTINUE HEARING ON MOTION
FOR STANDARD OF REVIEW**

WHEREAS, the parties agreed to mediate this matter pursuant to the Northern District
ADR Mediation Program, and the court signed an order referring the case to mediation on

1 February 1, 2010;

2 **WHEREAS**, the court set the case for hearing for a motion for summary judgment on the
3 standard of review at the case management conference on February 19, 2010, with a hearing date
4 set for May 7, 2010;

5
6 **WHEREAS**, the court ordered at the case management conference on February 19, 2010
7 that Plaintiff may also notice a motion for limited discovery or motion to strike surveillance for
8 hearing on May 7, 2010;

9 **WHEREAS**, the ADR Clerk's notice of appointment of mediator was issued on March
10 10, 2010, appointing Robert F. Schwartz as mediator, and the parties held the initial pre-
11 mediation conference with Mr. Schwartz on March 24, 2010;.

12 **WHEREAS**, the mediation is now set for April 20, 2010, the earliest mutually convenient
13 date for the parties and the mediator

14 **WHEREAS**, the parties wish to continue the hearing on the motion on the standard of
15 review and any motion for limited discovery or motion to strike the parties may wish to file so
16 that the briefing is not due before the parties first attempt to resolve the case through mediation so
17 as to avoid unnecessary expense and in the interest of judicial economy;

18 **IT IS HEREBY STIPULATED** between the parties, by and through their respective
19 counsel of record, that the court-ordered hearing scheduled for May 7, 2010 on Motion for
20 Standard of Review and any motion for limited discovery or motion to strike shall be continued to
21 June 4, 2010.

22 **IT IS SO STIPULATED.**
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Ropers Majeski Kohn & Bentley
A Professional Corporation
Redwood City

1 Dated: March 31, 2010

LAW OFFICES OF LAURENCE PADWAY

2
3 By /s/ Laurence Padway
4 LAURENCE PADWAY
5 Attorney for Plaintiff ANTONIO PRADO
6

7 Dated: March 31, 2010

ROPERS, MAJESKI, KOHN & BENTLEY

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9 By: /s/ Pamela E. Cogan
10 PAMELA E. COGAN
11 HANA HARDY
12 STACY M. TUCKER
13 Attorneys for Defendant ALLIED DOMECQ
14 SPIRITS AND WINE GROUP DISABILITY
15 INCOME POLICY and Real Party in Interest
16 LIBERTY MUTUAL INSURANCE COMPANY
17

18 [PROPOSED] ORDER

19 Based on the stipulation of the parties and good cause appearing therefor, IT IS HEREBY
20 ORDERED:

21 That the hearing date for the Motion For Summary Judgment on the Standard of Review
22 and any motion for limited discovery or motion to strike the parties may wish to file is continued
23 from May 7, 2010 to ~~June 4, 2010~~. June 25, 2010.
24

25 IT IS SO ORDERED.

26 Dated: April 1, 2010

